

Act of 1974, with respect to Byrd Amendment No. 3597, to make available funds for certain border and transportation security programs. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S8987–96, S9002–03

By 41 yeas to 53 nays (Vote No. 170), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Dodd Amendment No. 3604, to increase the amount provided for first responder programs, and to provide offsets. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S8996–S9002, S9003

By 45 yeas to 49 nays (Vote No. 171), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Murray Amendment No. 3596, to increase the amount available for port security grants by \$300,000,000. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S9003–06

Chair sustained a point of order against Harkin/Biden Amendment No. 3612, to restore the maximum percentage of hazard mitigation contributions that may be made for a major disaster, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on an appropriation measure, and the amendment thus fell.

Pages S9015–16

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, September 10, 2004.

Page S9045

**Garrett Lee Smith Memorial Act:** Senate concurred in the amendments of the House to S. 2634, to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to authorize grants to institutions of higher education to reduce student mental and behavioral health problems, clearing the measure for the President.

Pages S9020–23

**Messages From the House:**

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**Executive Communications:**

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**Additional Cosponsors:**

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## Statements on Introduced Bills/Resolutions:

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**Additional Statements:**

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**Amendments Submitted:**

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**Notices of Hearings/Meetings:**

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**Authority for Committees to Meet:**

Pages S9042–43

**Privilege of the Floor:**

Page S9043

**Record Votes:** Four record votes were taken today. (Total—172)

Pages S9002–03, S9003, S9006, S9014

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 8:15 p.m., until 9:30 a.m., on Friday, September 10, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9045.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: TRANSPORTATION, TREASURY, AND GENERAL GOVERNMENT

*Committee on Appropriations:* Subcommittee on Transportation, Treasury, and General Government approved for full Committee consideration an original bill making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2005.

### IRAQI PRISONER ABUSE

*Committee on Armed Services:* Committee concluded a hearing to examine the investigation of the 205th Military Intelligence Brigade at Abu Ghraib Prison, Iraq, after receiving testimony from General Paul J. Kern, USA, Commanding General, United States Army Materiel Command; Lieutenant General Anthony R. Jones, USA, Deputy Commanding General, Chief of Staff, United States Army Training and Doctrine Command; Major General R. Steven Whitcomb, USA, Special Assistant to the Commander, United States Central Command; Major General George R. Fay, USA, Deputy Commander, United States Army Intelligence and Security Command; and Major General Antonio M. Taguba, USA, Deputy Assistant Secretary of Defense for Reserve Affairs, Readiness, Training and Mobilization.

### DEPARTMENT OF DEFENSE DETENTION OPERATIONS

*Committee on Armed Services:* Committee concluded a hearing to examine the report of the Independent Panel to Review Department of Defense Detention Operations, focusing on why prisoner abuse occurred,

how they occurred and lessons learned, after receiving testimony from James R. Schlesinger, Chairman, and Harold Brown, Member, both of the Independent Panel to Review Department of Defense Detention Operations.

#### IMPACT OF SARBANES-OXLEY ACT

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the impact of the Sarbanes-Oxley Act and developments concerning international convergence, focusing on regulations in the United Kingdom and Hong Kong, strengthening corporate governance and internal controls, concerns of small companies, and the changed behavior of audit committees, management, and auditors, after receiving testimony from Paul Boyle, Financial Reporting Council, Sir David Tweedie, International Accounting Standards Board, and Douglas Flint, HSBC Holdings, all of London, United Kingdom; Andrew Sheng, Hong Kong Securities and Futures Commission; Greg Bentley, Bentley Systems, Inc., Exton, Pennsylvania; Arnold C. Hanish, Eli Lilly and Company, Indianapolis, Indiana, on behalf of Financial Executives International; Leonard Moodispaw, Essex Corporation, Columbia, Maryland; and James S. Turley, Ernst and Young, LLP, New York, New York.

#### SUDAN

*Committee on Foreign Relations:* Committee concluded a hearing to examine the current situation in Sudan and prospects for peace, focusing on the State Department's investigation of the Darfur crisis, after receiving testimony from Colin L. Powell, Secretary of State.

#### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 1635, to amend the Immigration and Nationality Act to ensure the integrity of the L-1 visa for intracompany transferees;

S. 1700, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA

testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases;

S. 2396, to make improvements in the operations and administration of the Federal courts;

H.R. 1417, to amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges;

S. 2204, to provide criminal penalties for false information and hoaxes relating to terrorism;

S. 1860, to reauthorize the Office of National Drug Control Policy;

S. 2195, to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors;

S.J. Res. 23, proposing an amendment to the Constitution of the United States providing for the event that one-fourth of the members of either the House of Representatives or the Senate are killed or incapacitated, proposed legislation authorizing funds for the Department of Justice; and

The nominations of Claude A. Allen, of Virginia, to be United States Circuit Judge for the Fourth Circuit, David E. Nahmias, to be United States Attorney for the Northern District of Georgia, and William Sanchez, of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices, both of the Department of Justice, Ricardo H. Hinojosa, of Texas, to be Chair of the United States Sentencing Commission, and Michael O'Neill, of Maryland, and Ruben Castillo, of Illinois, each to be a Member of the United States Sentencing Commission, William Sanchez, of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices, and Richard B. Roper III, of Texas, to be United States Attorney for the Northern District of Texas.